

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL E. SCOTT,

Defendant.

4:24MJ3085

**ORDER STAYING MAGISTRATE
JUDGE'S RELEASE ORDER PENDING
FURTHER REVIEW**

The matter is before the Court on the Government's Motion for Stay and Revocation of Release Order. ([Filing No. 19](#)). The United States Magistrate Judge entered an order releasing Defendant pending trial on charges of violating 18 U.S.C. § 2252(a)(2) (receipt of child pornography) and 18 U.S.C. §2252(a)(4)(B) and (b)(2) (possession and access with intent to view child pornography). ([Filing No. 1](#); Filing No. 11; [Filing No. 16](#).)

The Government contends that the evidence presented at the detention hearing, including the affidavit offered in support of the criminal complaint (Filing No. 1), demonstrates that Defendant presents a great danger of risk to the public and requests a stay of the Magistrate Judge's order while the Court conducts a *de novo* review in consideration of the Government's request for revocation of the order pursuant to 18 U.S.C. § 3145.

To allow the Court time to conduct its review, the Magistrate Judge's July 30, 2024 Order (Filing No. 11; [Filing No. 16](#)) releasing Defendant will be stayed pending the Court's review of the Magistrate Judge's release order.

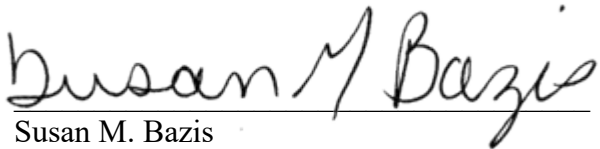
Accordingly,

IT IS ORDERED:

1. The Government's Motion for Stay and Revocation of Release Order ([Filing No. 19](#)) is granted in part and remains pending in part. The Court grants the motion as to the stay, but does not at present rule on the request to revoke the Magistrate Judge's release order.
2. The Magistrate Judge's July 30, 2024 order releasing Defendant (Filing No. 11; [Filing No. 16](#)) is stayed pending this Court's review of the United States Magistrate Judge's release order.
3. Defendant shall be detained pending further order of the Court;
4. The Court will determine whether a hearing on the Government's Motion is required at a later date.

Dated this 31st day of July, 2024.

BY THE COURT:

A handwritten signature in black ink, reading "Susan M. Bazis". The signature is written in a cursive, flowing style. The first name "Susan" is written in a larger, more prominent script, followed by "M." and "Bazis". The signature is positioned above a horizontal line.

Susan M. Bazis
United States District Judge